

TAB

YOUR RETIREMENT SYSTEM

**QUESTIONS AND ANSWERS
CONCERNING THE
FEDERAL CIVIL SERVICE RETIREMENT LAW**

UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C.

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Your **RETIREMENT SYSTEM**

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FOREWORD

Many questions about retirement are asked by employees, former employees, and prospective employees of the Federal Government. This pamphlet answers most of these questions on the basis of the law as amended through March 1961. It explains in simple terms the operation of the Federal Civil Service retirement system and the benefits it provides for employees and their families.

Most of the information in this pamphlet does not apply to former employees who were separated before October 1, 1956, Members of Congress, congressional employees, and individuals affected by the Canal Zone Construction Annuity Act and the Lighthouse Service Widow's Act. Information about the retirement rights of these persons may be obtained from the Bureau of Retirement and Insurance, U.S. Civil Service Commission, Washington 25, D.C.

I. THE CIVIL SERVICE RETIREMENT FUND

1. What is the Civil Service retirement fund?

It is the accumulation of money held in trust by the U.S. Treasury for the purpose of paying annuity, refund, and death benefits to persons entitled to them.

2. Where does this money come from?

It comes from four main sources: (1) Deductions from the salaries of employees who are members of the Civil Service retirement system; (2) contributions by the employing agencies in amounts which match the deductions from their employees' salaries; (3) congressional appropriations; and (4) interest earned through investment of money received from the first three sources.

3. How is the money invested?

It is invested by the U.S. Treasury in Government securities.

4. How much is deducted from the salary of each member of the retirement system?

6½ percent of his basic salary.

5. What is meant by basic salary?

Basic salary is the pay or compensation set by law or regulation. It does not include bonuses, overtime pay, military pay, special allowances (as for uniforms), cash awards for suggestions or superior accomplishment, holiday pay, or other

compensation given in addition to the base pay of a particular position. It does include periodic salary increases, night differential pay for wage board ("blue collar") employees, and overseas differential pay for employees on the Isthmus of Panama.

6. Has this deduction rate always been 6½ percent?

No. The rate was 2½ percent from August 1, 1920, to June 30, 1926; 3½ percent from July 1, 1926, to June 30, 1942; 5 percent from July 1, 1942, to the day before the first pay period which began after June 30, 1948; 6 percent thereafter to the day before the first pay period which began after September 30, 1956; and 6½ percent thereafter.

7. When were retirement deductions first taken from employees' salaries?

Deductions were first taken, as provided by the original Retirement Act of May 22, 1920, on August 1, 1920.

8. May an employee pay money other than salary deductions into the retirement fund?

Yes. He may pay to cover past service for which no deductions are in the fund. He may also make additional payments, known as voluntary contributions, to provide a larger annuity. (See questions 74 to 88.)

II. MEMBERSHIP

9. Who are members of the Civil Service retirement system?

Appointive and elective officers and employees in or under the executive, judi-

cial, and legislative branches of the U.S. Government, and in the municipal Government of the District of Columbia, except those excluded by law or by the Civil Service Commission.

10. What employees are excluded by law?

The President of the United States; certain judges of the United States (those defined under section 451 of Title 28 of the United States Code); individuals who are members of another retirement system for Federal or District of Columbia employees (for example the Foreign Service retirement system); temporary employees of the U.S. Courts (except the Supreme Court) and of the Administrative Office of the U.S. Courts; construction employees, or any other temporary, part-time, or intermittent employees of the Tennessee Valley Authority; certain interns, student nurses and other student-employees of Government hospitals; and teachers in dependents schools of the Department of Defense in overseas areas, as regards Federal employment other than teaching, performed during a recess period between 2 school years.

11. What employees are excluded by the Civil Service Commission?

Employees in the executive branch serving under indefinite appointments, persons given temporary appointments for 1 year or less, certain employees paid on a when-actually-employed basis without regular tour of duty, contract and fee-basis employees, and others. A complete list of these exclusions will be found on page 33.

12. Is it possible for an employee to be a member of the retirement system while serving in an excluded position?

Yes, under the following conditions:

- (a) If a member of the system is appointed or transferred without break in service to a position excluded by the Civil Service Commission, he remains a member and deductions continue to be taken from his salary.
- (b) An employee serving in a position excluded by the Civil Service Commission acquires membership in the system if he is granted competitive civil service status under legislation,

Executive order, or the Civil Service Rules and Regulations.

- (c) A person appointed to a position excluded by the Civil Service Commission, who had competitive status at some time in the past, will have his retirement status restored if his appointment is by "reinstatement."
- (d) If an employee is granted merit status under Chapter II of Title 5, Code of Federal Regulations, "Employment and Compensation in the Canal Zone," he becomes a member of the system.

13. What is considered a break in service?

Any period of separation which is more than 3 calendar days.

14. Is membership optional with the employee?

It is automatic, except in the case of Members of Congress and certain employees in the legislative branch who have the option of becoming members.

15. Is membership retained when an employee of the executive branch is appointed without break in service to a position in the legislative branch in which retirement coverage is optional?

No. The employee must elect to become a member of the system, the same as a person originally appointed to such a position in the legislative branch.

16. Does membership in the retirement system automatically place an employee in the regular competitive civil service?

No.

17. Are persons in the military (or naval) service of the U.S. members of the Civil Service retirement system?

Not by reason of the military service. However, a member of the Civil Service retirement system who, during a war or emergency period, leaves his civilian position to enter the Armed Forces is considered to be on civilian furlough and

retains his membership while he is in the military service up to a maximum of 5 years. He can terminate his membership before the 5 years are up by drawing

a refund of his retirement deductions. (See question 69.) No civil service retirement deductions are taken from his military pay.

III. CREDITING OF CIVILIAN SERVICE

18. What classes of civilian service may be credited for retirement purposes?

Credit may be given for all service performed as an employee of the Federal Government or the District of Columbia Government. There is one minor exception to this rule: No credit may be allowed for service in which an employee acquired social security coverage under the Social Security Amendments of 1954. This exception applies only to service of a comparatively few individuals most of whom are temporary or indefinite employees in the field service of the Post Office Department.

19. Must the service involved be consecutive, or may separate periods of service be counted?

All service is creditable, regardless of breaks in employment.

20. May periods of separation from service be counted?

No, except that any separation which is 3 calendar days or less is counted. Such a separation is not considered a break in service.

21. May credit be allowed for service for which no retirement deductions were taken?

Yes, provided the employee became a member of the retirement system after such service was performed.

22. How is credit given for service which was performed before there was any Retirement Act?

This service is free. Full credit is allowed without any deposit for service performed before August 1, 1920 (the

date deductions were first taken as provided by the original Retirement Act).

23. Is there any other period of free service?

Yes. Service performed for the Panama Railroad Company (now known as Panama Canal Company) before January 1, 1924, is creditable in full without any deposit.

24. Is deposit required to obtain credit for periods of service for which no retirement deductions were taken?

Deposit is required in order to receive the maximum annuity but not to receive time credit. Full credit in counting *total service* is allowed for all civilian service with or without deposit.

25. How is the annuity affected if the deposit is not made?

The annuity is reduced by one-tenth of the amount due as deposit. For example, if a retiring employee has an unpaid deposit which amounts to \$500, the yearly reduction in his annuity will be one-tenth of \$500, or \$50.

26. How is the amount of the deposit determined?

The deposit is made up of the regular deductions (2½ percent from August 1, 1920, to June 30, 1926; 3½ percent from July 1, 1926, to June 30, 1942; 5 percent from July 1, 1942, to June 30, 1948; 6 percent from July 1, 1948, to October 31, 1956; and 6½ percent thereafter) plus interest at the rate of 4 percent to December 31, 1947, and 3 percent thereafter, compounded annually. However, no interest is charged for periods of separation which began before October 1, 1956.

27. Is it to the employee's advantage to make the deposit?

This question cannot be answered by a simple "Yes" or "No." There are good reasons for making it, and there are good reasons for not making it. The same arguments, however, do not necessarily apply in each individual case. It is a personal matter which each employee must decide for himself, just as he would in making any other investment of his money for the future benefit of himself and his family. Here are some facts that should help an employee to make the right decision:

- (a) If the deposit is made, the retiring employee, and his widow (or widower) who may qualify for annuity after his death, will receive the maximum rates payable based on his total years of service. *However*, if the deposit is small enough, it is possible that it will provide no increase at all because of the requirement that the final monthly rate be adjusted to the nearest dollar. For example, a deposit of \$500 will give the retiring employee an increase in round figures of only \$4 a month. A surviving widow's annuity will be increased by only \$2 a month. A deposit amounting to \$60 or less will in many instances, result in no increase in the final annuity of a retiring employee.
- (b) The amount paid in as a deposit becomes a part of the employee's retirement account. If the employee dies in service and there are no qualified survivors entitled to annuity, the entire amount credited to his account is payable to the designated beneficiary or next of kin. *However*, the deposit is frozen in the retirement fund and may not be withdrawn by him unless he is separated and can meet the requirements for payment of refund. (See question 241.)
- (c) The value of a deposit as an investment depends on the number of

years over which annuity will be paid. In other words, it depends on the length of life after annuity begins. While the span of life is an unknown factor, experience indicates that the average employee who retires for reasons other than disability has an expectancy of life as follows:

Age	Life expectancy	
	Men	Women
	<i>Years</i>	<i>Years</i>
55.....	20	25
60.....	17	21
62.....	15	19
65.....	13	17
70.....	11	13

The actual amount of a deposit made at retirement will be returned to the annuitant in 10 years. Thus, in the average case, the retired employee will live long enough to get his investment back in the form of the increased annuity, and he will continue to benefit from this increase for the remainder of his life. Also, upon his death, a widow (or widower) entitled to annuity will receive the benefit of the deposit in the increased annuity. *However*, making the deposit can be a losing proposition. This is possible because—

- (1) A deposit becomes a part of the employee's retirement account.
- (2) All annuity payments are charged against this account. It now takes between 1 and 3 years of annuity payments to a retired employee to exhaust his account.
- (3) If all annuity payments terminate *before* the account is exhausted, the balance of the account is payable in a lump sum.
- (4) It takes 10 years for the retired employee to get back the *amount* of his deposit in the form of increased annuity payments.

- (5) The deposit is a losing investment if all annuity terminates *after* the retirement account is exhausted but *before* the amount of the deposit has been returned as increased annuity.
 - (d) The longer the payment is delayed the higher the amount will be because of the running of interest. *However*, if the deposit is not made until time of retirement, the employee will have had the use of his money during the interim. And, if the employee should die before he retires, his widow (or widower) may make the deposit and receive the maximum survivor annuity.
 - (e) Deposit for all noncontributory service after July 31, 1920, must be completed before any voluntary contributions (see sec. V, Voluntary Contributions) may be made. This may make it advantageous for an employee to complete his deposit in order to be accorded this privilege. *However*, the employee may decide that making the deposit is a high price to pay for the voluntary-contribution privilege.
- 28. Under what conditions may credit be allowed for service for which an employee has received a refund of deductions?**

Such service may be credited in determining length of service for the purpose of computation of annuity *only* if the redeposit is made. It may, however, be used in determining the "high-5" average salary even if the redeposit is not made. (See sec. VII, Annuity Computation.) It is also used, even though the redeposit is not made, in determining whether an employee has sufficient service to make him eligible for retirement. (See question 98.)

29. How is the amount of the redeposit determined?

The redeposit is made up of the exact amount refunded plus interest at the rate of 4 percent to December 31, 1947, and 3 percent thereafter, compounded annu-

ally. However, no interest is charged for periods of separation which began before October 1, 1956.

30. Is it to the employee's advantage to make the redeposit?

Generally, yes. Usually a redeposit should be made because otherwise the employee will receive no credit at all in the computation of his annuity for the time covered by the refund. In a few retirement cases, where the employee has enough other service to meet the 80 percent limitation (see question 174) or where he retires on account of disability and is entitled to the 40 percent guaranteed minimum annuity (see questions 170 to 172), failure to make the redeposit would not affect the retiring employee's annuity; similarly, the survivor annuity payable to a child would not be affected (see question 212). Should the employee die before he retires, his widow (or widower) may make the redeposit and receive the maximum survivor annuity.

31. Does the date of payment affect the amount of the redeposit?

Yes, just as it does in the case of a deposit. The longer the payment is delayed the more it will cost, because of the running of interest. For example, if a redeposit amounted to \$200 on June 30, 1957, and the employee does not make payment until 15 years later, the amount will have increased to \$311.

32. What effect does nonpayment of a deposit or a redeposit have on granting service credit for employment purposes other than retirement?

It has no effect at all. Full credit is granted, regardless of whether deposit or redeposit has been made, for such purposes as leave, promotion, pay increases, and retention credits in reduction in force.

33. How is deposit or redeposit made?

The employee submits his application to make deposit or redeposit on Standard Form 2803 through the employing de-

partment or agency to the Civil Service Commission. The Commission makes the computation and informs the employee as to the amount of the payment and the manner of making it.

34. May deposit or redeposit be made in installment payments?

Payment may be made in a lump sum or, if the employee so desires, in installments of not less than \$10 each, paid direct to the Civil Service Commission. There are no specified intervals at which installment payments must be made but interest is chargeable on the unpaid balance. Payment *cannot* be made through payroll deductions by the employing agency.

35. If an employee is unable to complete his deposit after paying a number of installments, what action is taken?

The employee is credited with the sum paid, and the annuity otherwise payable is reduced by one-tenth of the unpaid balance (including interest) due the fund or, in event of death, the employee's widow (or widower) may complete the deposit.

36. If an employee is unable to complete redeposit of refund after paying a number of installments, what action is taken?

The sum redeposited is applied on any full period or periods of service to the best advantage, and any amount not so used is refunded or, in event of death, the employee's widow (or widower) may complete the redeposit.

37. If an employee does not wish to make a deposit or redeposit, may he elect to waive credit for the service?

He has the option of eliminating any such complete period or periods of service for annuity computation purposes.

38. Under what conditions would it be desirable to eliminate credit for such service?

Only if, because of the 80-percent limitation in annuity computation (see ques-

tions 174 and 175), the service would produce no increase in basic annuity.

39. May an employee make deposit or redeposit after his separation from service?

Yes, if he has present or future annuity rights. Payments in such a case may be made at any time before his annuity claim is finally adjudicated.

40. May an employee make deposit or redeposit after retirement?

No deposit can be made after final adjudication of an annuity claim.

41. In case of death of an employee, may a survivor entitled to annuity benefits make the deposit or redeposit?

Yes.

42. Do the deposit provisions apply to a period of service when the employee was under the Act but the employing agency, through error, misunderstanding, or for any other reason, failed to withhold retirement deductions from his salary?

Yes.

43. Is credit allowed for leave without pay?

Credit is given without deposit to the fund for so much of furlough or leave without pay as does not exceed 6 months in any calendar year.

44. Is there any exception to this rule?

Yes. If the employee is carried on leave without pay while receiving benefits under the Federal Employees' Compensation Act or while serving with the Armed Forces, the entire period (subject to the limitations explained in questions 67 and 68) is credited without deposit to the fund.

45. May the period of service represented by a lump-sum payment for accrued and accumulated annual leave be credited?

No.

46. How is substitute employment in the postal service credited?

Full credit is given for the time from the date of original appointment, provided the employee was subject to call for duty.

47. Is service with State and municipal governments creditable under the Civil Service Retirement Act?

No.

48. Is service performed under another Federal retirement system creditable under the Civil Service Retirement Act?

Yes, provided the employee is not receiving any benefits for the service under the other system. If the other system is a contributory plan, the employee must, if

he has not already done so, draw a refund of his deductions under the other system and redeposit the refund, with interest, in the Civil Service retirement fund. If the other system is a noncontributory plan, credit is allowable and the employee may make a deposit. (See questions 24 to 27.)

49. Is extra credit allowed for service in foreign countries or for any other kind of service?

No. Credit for service may never exceed the actual calendar time.

50. How is credit given for service which is performed on a "when-actually-employed" basis?

Only the actual days worked may be credited.

IV. CREDITING OF MILITARY SERVICE

51. What does the term "military service" cover?

Honorable, active service in the Army, Navy, Air Force, Marine Corps, and Coast Guard, including the service academies, and, after June 30, 1960, in the Regular Corps or Reserve Corps of the Public Health Service.

52. Is military service creditable under the Retirement Act?

As a general rule, military service is creditable provided it was active service, was terminated under honorable conditions, and was performed before separation from a civilian position under the Retirement Act. For exceptions to this general rule, see the questions immediately following.

53. Does the receipt of pension or compensation under laws administered by the Veterans' Administration bar the crediting of military service?

No. Regardless of the length of time on which the pension or compensation is based, or the reason for its allowance, full credit is given under the Civil Serv-

ice Retirement Act for the military service.

54. Does the receipt of military retired pay bar the crediting of military service?

Yes. However, credit may be allowed if the retired pay is:

- (a) Based on a disability incurred in combat with an enemy of the United States or caused by an instrument of war and incurred in the line of duty; or
- (b) Granted under the provisions of Chapter 67, Title 10, U.S. Code (formerly Title III of Public Law 810, 80th Cong.).

55. What is Chapter 67, Title 10, U.S. Code?

It is a provision granting retired pay to members of reserve components of the Armed Forces on the basis of *service* instead of disability. The basic requirement is the attainment of age 60 with the completion of 20 years of service.

56. What agency administers Chapter 67, Title 10, U.S. Code?

The Department of Defense.

57. Is it possible to receive military retired pay and civil-service annuity at the same time, using the same period of military service?

Yes, under the conditions outlined in question 54. Only the portion of the service which was in active status, however, may be credited toward civil-service retirement.

58. May military retired pay be waived so that the military service will be credited under the Civil Service Retirement Act?

Yes.

59. Does receipt of social security benefits bar credit for military service?

Receipt of social security benefits has no effect on granting credit for military service performed before January 1, 1957, but its use under the Retirement Act will bar social security wage credits for such military service. However, military service (except while on military leave with pay from a civilian position) performed after December 31, 1956, may not be credited toward civil-service retirement if the employee or his widow or child receives or is eligible to receive monthly old-age or survivors' social security benefits based on his wages or self-employment income.

60. May military service be credited toward retirement rather than toward social security?

Credit will automatically be given under the Civil Service Retirement Act for military service performed before January 1, 1957. Credit may be given under the Civil Service Retirement Act for military service performed on or after January 1, 1957, only if the employee is not eligible for social security old-age benefits.

61. When is an employee eligible for social security so as to disqualify him from receiving credit toward retirement for military service performed on or after January 1, 1957?

A male employee would, if he had

enough "covered employment," be eligible for social security when he reached age 65. At this age an employee is considered eligible for social security even though he does not apply for it, or having applied, is not receiving any benefit. A female employee could be eligible for social security at age 62. However, social security benefits paid on account of disability are not disqualifying until converted to old-age benefits at age 65.

62. If an employee retires before he is eligible for social security, may he receive credit toward retirement for military service performed on or after January 1, 1957?

Yes. Credit for the military service will be allowed during the time the employee is not eligible for social security. If he becomes eligible for social security after he retires, his annuity will at that time be recomputed to exclude credit for the military service.

63. What choice does an employee's widow (or widower or dependent child) have between crediting military service toward retirement or toward social security?

She has no choice with regard to military service performed on or after January 1, 1957; if she is eligible for social security, then the military service cannot be credited under the Civil Service Retirement Act. With regard to military service before January 1, 1957, she does have a choice; she can choose to have the military service used under the Civil Service Retirement Act or credited toward the social security benefit.

64. What is the effect of an election by a widow (or widower or dependent child) to credit military service performed before January 1, 1957, toward social security rather than using it for retirement, and vice versa?

If the widow elects to credit such military service toward social security, she can-

not receive *any* survivor annuity under the retirement system. If she elects to use the military service for retirement, she may still be eligible to receive social security if there is sufficient other covered employment but no credit for the military service will be allowed in computing the amount of the social security benefit.

65. When would it be to the advantage of a widow (or widower or dependent child) to use military service before January 1, 1957, for retirement and receive a survivor annuity?

This depends on the circumstances in the individual case. Since a choice to use military service for retirement cannot be changed, the widow should get statements from her nearest social security office and from the Civil Service Commission as to exactly what benefits would be payable under each system. She can then compare the benefits and choose the one which is to her advantage.

66. Is deposit required for military service?

No. Full credit is given for military service without any deposit to the retirement fund. Such service is free.

67. What credit is given if a civilian employee is placed on furlough or leave without pay to enter the military service?

The entire furlough period is credited, without deposit, as civilian service if it ended no later than December 31, 1956. If it ended after December 31, 1956, full credit is allowed for the furlough period up to a maximum of 5 years.

68. May military furlough periods be credited as civilian service if credit for the military service itself is barred because the employee is receiving military retired pay or is entitled to social security?

No.

69. How does payment of a refund affect a military furlough?

Payment of the refund terminates the military furlough, and the individual may not receive further benefits under the Civil Service Retirement Act unless he later returns to a civilian position under the Act.

70. Is military service creditable if it is performed after final separation from civilian employment?

No. Such service may be credited only if the individual again becomes a member of the retirement system.

71. Do the provisions on the crediting of military service which are explained in this section apply to service performed with women's organizations such as the WAC, WAVES, etc?

Yes.

72. Is service with the WAAC creditable?

Yes. However, it is creditable as civilian rather than as military service.

73. May an employee receive credit for service with the National Guard?

Only when ordered into the service of the United States.

V. VOLUNTARY CONTRIBUTIONS

74. May an employee make deposits to the retirement fund in addition to the regular 6½ percent deduction from salary?

Yes. Such deposits, commonly known as voluntary contributions, are made for

the express purpose of increasing the annuity at the time of retirement. These contributions must be made in multiples of \$25 (i.e., \$25, \$50, \$125, \$200, etc.) and the total may not exceed 10 percent of the total basic civilian pay received since August 1, 1920.

75. Is the privilege of making such contributions open to all employees?

It is open to any employee who is a member of the retirement system, provided he does not owe any deposit or redeposit covering prior service. (See questions 24 to 42.)

76. Do these contributions earn interest?

Yes. The amounts deposited earn interest at 3 percent, compounded annually. The contributions, plus interest, constitute the voluntary-contribution account.

77. How are the payments made?

They are made direct to the Civil Service Commission. An employee who wishes to make voluntary contributions files application on Standard Form 2804 with the Commission, and the Commission issues the necessary instructions for making deposit.

78. May an employee make voluntary contributions after separation from the service?

These contributions may be made only while the employee is in the service, or at the time when his annuity claim is actually being adjudicated by the Civil Service Commission.

79. May an employee on leave without pay or on military furlough from his civilian position make voluntary contributions?

He may make voluntary contributions based on civilian salary received between August 1, 1920, and the beginning date of leave without pay or military furlough.

80. May an employee make voluntary contributions based on his military pay?

No.

81. How do voluntary contributions made by an employee affect his annuity?

The annuity which the voluntary-contribution account (contributions with inter-

est) will purchase is added to the regular annuity.

82. How much additional annuity may be purchased with the voluntary-contribution account?

It depends upon the age of the employee at the time of retirement and, once fixed, it does not change as he grows older. The regular annuity will be increased by \$7 for each \$100 credited to his voluntary-contribution account if he is age 55 or younger. This amount increases 20 cents for each full year he is over age 55 at the time he retires. For each \$100 the increase in the regular annuity is \$7.20 for an employee retiring at age 56; at age 60 it is \$8; at age 63 it is \$8.60; and at age 70 it is \$10.

83. Has the retiring employee a choice as to the type of annuity purchased with his voluntary-contribution account?

Yes. He may use the entire account to purchase annuity for himself, or he may share it with a survivor annuitant. If he shares it with a survivor annuitant, the amount purchasable with his voluntary-contribution account will be reduced by applying the proper percentage factor shown in the table on page 33. The survivor's annuity will be 50 percent of this reduced amount.

84. What disposition is made of the voluntary-contribution account if an employee dies in service?

All of the voluntary-contribution account is payable immediately in a lump sum. No part of this account may be used in computing the annuity which may be due a widow, widower, or children.

85. What disposition is made of any balance in the voluntary-contribution account remaining at the death of an annuitant?

The voluntary-contribution account is reduced by the annuity purchased thereby (see questions 82 and 83), and any balance may be returned in a lump sum upon the annuitant's death. However, if the annuitant at the time of retirement

elected to purchase with this account a reduced annuity for himself with benefit to a survivor annuitant, no balance is payable; a balance may be due upon the survivor annuitant's death if the account has not been exhausted by the annuity paid the retired employee and the survivor.

86. May an employee withdraw his voluntary-contribution account?

Yes. An employee or separated employee may withdraw his voluntary contributions and accrued interest at any time before he retires and receives additional annuity. A separated employee, or one who has transferred to a position not under the retirement system, may withdraw his voluntary contributions only and leave his regular deductions in the retirement fund. This may be done by marking the application (Standard Form 2802) "Refund Voluntary-Contribution Account Only."

87. May an employee who has withdrawn his voluntary-contribution account later make new voluntary contributions?

Only if, after he has withdrawn his account, he is separated from the service for more than 3 calendar days and is then reemployed and again becomes a member of the Civil Service retirement system.

88. Is it to the employee's advantage to make voluntary contributions?

This is a question which an employee must decide for himself. Voluntary contributions are an investment and should be compared to other available investment opportunities. Here are some of the facts an employee should consider in deciding whether to make voluntary contributions.

- (a) The return of voluntary contributions plus accrued interest is guaranteed. This return may be in the form of a refund to the employee,

additional retirement and survivor annuity, or as a lump-sum death benefit.

- (b) Voluntary contributions will provide an increased retirement income in a predetermined amount. For example, if an employee wishes an annuity income of \$300 a month but his regular annuity will be only \$250, he can make voluntary contributions in an amount which is sufficient to provide additional annuity of \$50 a month.
- (c) Voluntary contributions do not have to be made at regular intervals. They may be made at the employee's convenience. Also, they may be made in varying amounts which can be as little as \$25.
- (d) Voluntary contributions can be made only by direct payment to the Civil Service Commission. An employee may find it more convenient to buy U.S. savings bonds through regular payroll deductions. If he desires, he can cash in his bonds and make a lump-sum voluntary contribution shortly before he retires.
- (e) Many other investments offer a greater interest return than the 3 percent paid on voluntary contributions. Some of these investments, however, may involve greater risk than voluntary contributions.
- (f) The ultimate advantage of voluntary contributions depends on the number of years over which the additional annuity purchased by the contributions will be paid. In other words, it depends on how long after he retires the employee (and his survivor if the additional annuity is shared) will live and draw the additional annuity. The table on page 4 shows the life expectancy of the average employee who retires for reasons other than disability.

VI. RETIREMENT ELIGIBILITY

89. How many kinds of retirement are provided for in the retirement law?

Six. They are known as age, optional, disability, 25-year discontinued-service, 20-year discontinued-service, and deferred retirement.

90. Is there a minimum requirement as to the amount of civilian service?

Yes. Five years of civilian service are required before annuity benefits may be paid in any case.

91. Is there a minimum requirement as to the amount of service an employee must have in a position subject to the Retirement Act?

Except for retirement on account of disability, an employee must have been subject to the Retirement Act for at least 1 out of the last 2 years before the separation on which his retirement is based.

92. Is there any other general requirement which must be met?

Yes. Public Law 769, 83d Congress, prohibits payment of annuities in the cases of employees who have committed certain specified offenses or acts, mainly in connection with their employment. A person who is barred by this law cannot receive annuity.

93. Must an employee apply for retirement?

Yes. He must apply on Standard Form 2801. If he has not yet been separated or if he has been separated for 30 days or less he should submit the application to his employing agency. If he has been separated for more than 30 days he may submit his application direct to the Civil Service Commission.

94. Is there a compulsory retirement age?

Yes. Any employee who has served at least 15 years is automatically separated for age retirement at the end of the month in which he reaches 70, unless he is

continued in service by Executive order or by action of the Civil Service Commission. However, a citizen employee of the Canal Zone Government or the Panama Canal Company on the Isthmus of Panama, or an employee of the Alaska Railroad in Alaska, must be separated for age retirement upon reaching 62 if he has completed 15 years of service (all of which was on the Isthmus of Panama or in Alaska, or in the two places), unless he is continued in service by Executive order or by action of the Civil Service Commission.

95. Are heads of departments and other presidential appointees subject to automatic separation for age retirement?

Yes.

96. Are any groups of employees exempt from automatic separation for age retirement?

Yes. Certain employees in the legislative and judicial branches of the Government are exempt.

97. Must creditable military service be included in determining whether an employee meets the 15-year service requirement for automatic separation for age retirement?

Yes.

98. Must a period of service for which an employee owes a deposit or a redeposit be included in determining whether he meets the 15-year service requirement?

Yes. It is also included in determining whether an employee meets the service requirement for optional retirement or any of the other kinds of retirement.

99. What if the employee does not meet the service requirement when he reaches the compulsory retirement age?

He may remain in Federal employment until he completes the 15-year service

requirement, unless he is separated for another reason (for example, reduction in force, or optional retirement).

100. When does the annuity begin in age retirement cases?

It begins on the day after separation, or the day after the employee's pay status terminated and he met the age and service requirements.

101. Under what conditions may an employee retire optionally?

An employee is eligible for optional retirement upon meeting one of the following minimum combinations of age and service:

- (a) Age 62 with 5 years of service;
- (b) Age 60 with 30 years of service;
- (c) Between ages 55 and 60 with 30 years of service, but on a reduced annuity. The reduction is $\frac{1}{12}$ of 1 percent for each full month (1 percent a year) he is under age 60. (See table on page 39.)

An employee whose duties are hazardous and consist primarily of the investigation, apprehension, or detention of criminals may voluntarily retire (without reduction for being under age 60) if he is age 50 or over, has at least 20 years of service in such law-enforcement duties, including at least 1 year immediately preceding retirement, and meets the other conditions mentioned in question 102.

102. What other conditions must a law-enforcement employee meet to voluntarily retire at or after age 50?

The head of his department or agency must recommend his retirement and the Civil Service Commission must approve.

103. Must application for optional retirement be made before the employee is separated from the service?

No. However it is advisable to apply about 60 days in advance of the date scheduled for separation. This will help in receiving the first annuity check on time.

104. May an employee who resigns or is discharged for cause receive annuity under the optional provision?

Yes. Regardless of the reason for separation, the individual who meets the age and service requirements indicated is eligible for such annuity unless he is barred as explained in question 92.

105. When does the annuity begin in optional retirement cases?

It begins on the day after separation, or the day after the employee's pay status terminated and he met the age and service requirements.

106. Under what conditions may an employee retire for disability?

An employee must become totally disabled for useful and efficient service in his position and have completed at least 5 years of civilian service.

107. What constitutes "total disability"?

Inability of the employee, because of disease or injury, to satisfactorily and efficiently perform his duties or the duties of a similar position. It need not be shown that the applicant is disabled for all kinds of work.

108. Who determines whether an employee is totally disabled so as to qualify for annuity?

The Civil Service Commission makes the determination. Unless there is other evidence acceptable to the Commission, the employee must undergo an official medical examination which will be arranged, without cost to him, either by his employing agency or the Civil Service Commission.

109. May disability annuity be based on any disease or injury?

No. It may not be based on a disability of short duration, or on disability due to vicious habits, intemperance, or willful misconduct on the employee's part within the 5-year period before he becomes disabled.

110. Must the injury or disease be incurred while on duty?

No. If it is so incurred, however, the employee will have a choice between annuity under the Retirement Act and benefits under the Federal Employees' Compensation Act, and may choose whichever is to his advantage.

111. Is there any limitation with respect to making claim for disability annuity?

Yes. Application must be filed with the Civil Service Commission before the employee is separated from service, or within 1 year thereafter.

112. Are there any exceptions to this time limitation?

Yes. If an employee is mentally incompetent at the time of separation or becomes so within 1 year thereafter, the Civil Service Commission may extend the time limitation if application is filed within 1 year from the date he is restored to competency or a guardian is appointed for him, whichever is earlier.

113. Who files the annuity application if an employee is mentally incompetent?

The employee's guardian, if one has been appointed; otherwise a relative or other interested person may file the claim.

114. May the employing department or agency apply to have an employee retired for disability?

Yes, if the agency believes that the employee is totally disabled for useful and efficient service in his position and the employee refuses, or is unable because of his condition, to file application.

115. Should any other papers be filed with the disability annuity application?

Yes. The claim should be accompanied by (a) a statement from the applicant's superior officer (on Standard Form 2801-A), showing how the employee's condition affects his performance of duty, and (b) a report from his own doctor (on

Standard Form 2801-B) describing fully his disabilities.

116. When does a disability annuity begin?

It begins on the day after separation, or the day after the employee's pay status terminated and he met the disability and service requirements.

117. Are further medical examinations necessary after the employee is placed on the disability annuity roll?

Annual examinations are required until the annuitant reaches age 60, unless, in the meantime, it is found that the disability is of a permanent nature. A finding of permanent total disability may be made upon the first or any later examination, and will eliminate the need for any further examination unless circumstances warrant.

118. Must the annuitant pay for these medical examinations?

No. The Government pays for the examinations. If travel is required, the annuitant may be reimbursed for any reasonable expenses.

119. In case a disability annuitant recovers, what is his status?

His annuity is continued temporarily (not to exceed 1 year) to give him an opportunity to find a position. If he is reemployed in the Government service within the year, annuity stops upon reemployment. If he is not so reemployed, the annuity stops at the expiration of the 1-year period.

120. What happens to a disability annuitant whose earning capacity is restored?

Even if he remains totally disabled, an annuitant whose earning capacity is restored before he reaches age 60 will have his annuity discontinued. If earning capacity is restored, the annuity is continued temporarily (not to exceed 1 year). If he is reemployed in the Government service within the year, annuity stops upon reemployment. If he is not so

reemployed, the annuity stops at the expiration of the 1-year period.

121. When is a disability annuitant's earning capacity considered restored?

Earning capacity is considered restored if in each of 2 consecutive calendar years the annuitant's income from wages or self-employment, or both, is at least 80 percent of the current salary of the position from which he retired.

122. Is a disability annuitant's earning capacity considered restored if he at any time earns at least 80 percent of the current salary of the position from which he retired?

No. This restriction applies only to a disability annuitant who is under age 60. In addition, he must earn 80 percent or more of the current salary of the position from which he retired in each of 2 successive calendar years—for example, if his earnings are equal to or more than the 80-percent figure in 1959 and 1960, he is considered restored to an earning capacity. If he meets the 80-percent figure in 1959 but not in 1960, then he is not considered restored.

123. Does the restriction on earnings apply to an annuitant who has been found permanently disabled?

Yes, if he is under age 60.

124. Is income from such sources as rents, dividends, social security, pensions, annuities, insurance policies, and investments such as stocks and bonds considered in deciding whether a disability annuitant's earning capacity is restored?

No. Only income from wages and self-employment is considered.

125. Is reinstatement in the Federal service automatic upon recovery or restoration to earning capacity?

No. The individual must locate a position by his own efforts.

126. If an annuitant who has recovered or whose earning capacity is restored is not reemployed in the Government service, may he receive a further annuity after his disability annuity stops?

Yes. He is considered as involuntarily separated as of the date disability annuity stops, and, depending on his length of service, would be eligible to draw one of the following annuities:

- (a) Deferred annuity, which would begin when he reaches age 62.
- (b) 20-year discontinued-service annuity, if he is age 50 or older, which would begin immediately.
- (c) 25-year discontinued-service annuity, which would begin immediately.

127. Must a disability annuitant who is reemployed after recovery or restoration of earning capacity repay any of the annuity received in order to qualify for an annuity at some future time?

No.

128. May a disabled employee retire optionally if he meets the age and service requirements to do so?

Yes. Unless it would be to his advantage to retire for disability, he should apply for optional retirement as this will avoid the inconvenience and delay of having to take a medical examination.

129. What are the comparative advantages of these alternatives?

That depends on the circumstances in the individual case. If the employee has Federal Employees' Group Life Insurance or Health Benefits, he can retain his coverage if he retires for disability; he will not retain coverage if he retires optionally with less than 12 years of service. Also, if an employee is eligible to retire optionally between ages 55 and 60 after at least 30 years of service, he can avoid a reduction in his annuity (see question 101) by retiring on account of disability.

130. Who is eligible for 25-year discontinued-service retirement?

Any employee who is separated involuntarily through no fault of his own after completing 25 or more years of service. In this kind of retirement the annuity is reduced by—

- (a) $\frac{1}{12}$ of 1 percent for each full month (1 percent a year) the retiring employee is under age 60 (but not under age 55), and
- (b) $\frac{1}{6}$ of 1 percent for each full month (2 percent a year), if any, he is under age 55. (See table on p. 39.)

131. When does this 25-year discontinued-service annuity begin?

It begins on the day after separation from the service, or on the day after the employee's pay status terminated and he met the service requirements.

132. Who is eligible for 20-year discontinued-service retirement?

Any employee who is separated involuntarily through no fault of his own after reaching age 50 and completing 20 or more years of service. In this kind of retirement the annuity is reduced by—

- (a) $\frac{1}{12}$ of 1 percent for each full month (1 percent a year) the retiring employee is under age 60 (but not under age 55), and
- (b) $\frac{1}{6}$ of 1 percent for each full month (2 percent a year), if any, he is under age 55. (See table on p. 39.)

133. When does this 20-year discontinued-service annuity begin?

It begins on the day after separation from service, or on the day after the employee's pay status terminated and he met the age and service requirements.

134. When is an employee considered involuntarily separated through no fault of his own?

When he is separated against his will and without his consent except for cause on charges of misconduct, delinquency,

etc. Some examples of involuntary separations are: reduction in force, abolishment of a position, or liquidation of an office or agency.

135. Is a resignation ever considered as an involuntary separation?

Yes, in a few instances such as when an employee resigns because his office is moving to a distant location and he is unable to move, or when an employee resigns after he receives a reduction-in-force notice.

136. Who is eligible for deferred retirement?

Any employee under age 62 who, after completing at least 5 years of civilian service, is separated or transferred to a position in which he is not under the Retirement Act.

137. When does this deferred annuity begin?

It begins on the separated employee's 62d birthday.

138. Is an employee eligible for deferred annuity regardless of reason for separation?

Yes, even though he resigns or is removed for cause, unless he is barred as explained in question 92.

139. Does an employee who, at his last separation, fails to meet the minimum service requirement mentioned in question 91 (1 out of the last 2 years under the Retirement Act) lose his eligibility for deferred retirement which he had as a result of an earlier separation?

No. He may still retire at age 62 based on the earlier separation.

140. When should a separated employee apply for deferred retirement?

He should file his application for retirement about 60 days before he reaches age 62.

VII. TYPES OF ANNUITIES

141. How many types of annuities are there?

Three. They are known as the "life annuity," the "reduced annuity with benefit to widow or widower," and the "reduced annuity with benefit to person having an insurable interest."

142. What is the "life annuity"?

It is the annuity which is ordinarily payable to the retiring employee for his life unless it is terminated for reasons such as reemployment or recovery from disability. Under this type, which any retiring employee may choose, no survivor annuity will be payable unless the annuitant at his death leaves dependent children. (See question 224.)

143. What is the "reduced annuity with benefit to widow or widower"?

In this type, the retiring employee takes a reduction in his annuity and names his wife (or her husband) to receive a survivor annuity.

144. Who may elect a "reduced annuity with benefit to widow or widower"?

Any employee, including one who is retiring at age 62 on a deferred annuity, may choose this type if he is married at the time his annuity is scheduled to begin.

145. When is the survivor annuity to the widow or widower paid?

Benefits to the widow or widower begin the day after the retired employee dies and continue until the end of the month before the one in which widow or widower remarries or dies.

146. How much survivor annuity will the widow or widower receive?

Except in certain disability retirement cases (see question 170) the retiring employee may choose all or any portion of his annuity as a base for figuring the amount of the widow's or widower's an-

nuity. The widow or widower will receive 50 percent of the amount which the employee chooses as a base. For example, if the retiring employee chooses \$1,200 as a base, his widow would get \$600 a year or \$50 a month; if he chooses \$2,400 as a base, his widow would get \$1,200 a year or \$100 a month; if he chooses all his annuity as a base and if all his annuity amounts to \$3,600, his widow would get \$1,800 a year or \$150 a month.

147. If an employee elects a "reduced annuity with benefit to widow or widower" how much is the reduction in his annuity?

That depends on how much of his annuity the retiring employee chooses as a base for the survivor annuity. The reduction is $2\frac{1}{2}$ percent of the first \$2,400 chosen as a base plus 10 percent of any amount over \$2,400. For example, if the retiring employee chooses \$1,200 as a base the reduction in his annuity will be $2\frac{1}{2}$ percent of \$1,200 or \$30 a year; if he chooses \$2,400 as a base the reduction in his annuity would be $2\frac{1}{2}$ percent of \$2,400 or \$60 a year; if he chooses \$3,600 as a base, the reduction in his annuity would be $2\frac{1}{2}$ percent of the first \$2,400 or \$60 a year plus 10 percent of the balance (\$1,200) or \$120 a year for a total reduction of \$180 a year.

148. Does the age of the wife or husband who is named as survivor-annuitant affect the rate of annuity?

No.

149. What is the "reduced annuity with benefit to person having an insurable interest"?

In this type, the retiring employee takes a reduction in his annuity and names a person who has an insurable interest in his life to receive a survivor annuity.

150. What is meant by an "insurable interest"?

If the person named can reasonably expect to receive some kind of financial

benefit from the continuance of the life of the retiring employee, an insurable interest exists. Generally speaking, any near relative would have an insurable interest in the retiring employee. If a person other than a near relative is named, proof of an insurable interest may be required.

151. Who may elect a "reduced annuity with benefit to person having an insurable interest"?

Any retiring employee who is unmarried and who is in good health. This includes one who is retiring at age 62 on a deferred annuity. A widowed or divorced employee is considered unmarried.

152. Who determines whether the retiring employee is in good health?

The Civil Service Commission will arrange to have the employee examined at no cost to himself. If he is found by the Commission to be in reasonably good health, he can choose the "reduced annuity with benefit to person having an insurable interest."

153. When is the survivor annuity paid to the person having an insurable interest?

Benefits to the person having an insurable interest begin the day after the retired employee dies and continue until the end of the month before the one in which the named survivor dies.

154. If an employee elects a "reduced annuity with benefit to person having an insurable interest" how much is the reduction in his annuity?

That depends on the difference in ages between the retiring employee and the person he names as having an insurable interest. A table from which the re-

duction in any particular case can be figured is on page 33. For example, if a retiring employee names a person who is 11 years younger than himself, he will have his annuity reduced by 20 percent; if the person named is older than the retiring employee, the reduction is 10 percent; if the person named is 30 years younger, the reduction is 40 percent, which is the maximum reduction.

155. How much survivor annuity will the person having an insurable interest receive?

The person named as having an insurable interest will receive 50 percent of the reduced annuity paid to the retired employee.

156. How does a retiring employee elect the type of annuity he wishes to receive?

There is space on the application for retirement (Standard Form 2801) in which the retiring employee indicates his choice. The application also explains each type of annuity.

157. Can an annuitant ever change the type of annuity he elected at retirement?

Not after his annuity claim is approved by the Commission. A life annuity election made by the employee and accepted by the Commission cannot be changed to permit him to name a survivor. If a person named as survivor annuitant should die before the retired employee, no change in election will be permitted, the annuity to the retired employee will not be increased, nor can he name any other person as survivor annuitant. For these reasons, a retiring employee should give careful consideration to the type of annuity he elects when he fills out his application for retirement.

VIII. ANNUITY COMPUTATIONS

158. How is the amount of an employee's annuity determined?

The amount of annuity depends primarily upon an employee's length of service and his "high-5" average salary. These two items are used in a formula which produces the employee's basic annuity. The basic annuity obtained by using the formula may then be reduced or increased for various reasons.

159. How is an employee's length of service figured?

All periods of creditable service, except any for which the employee owes a redeposit, are added together. The odd days in the total are dropped and the time (years and months) remaining is the length of service used in the annuity computation formula. For example:

Periods of creditable service	Years	Months	Days
Sept. 13, 1927, to Nov. 9, 1931	4	1	27
Nov. 4, 1932, to Oct. 12, 1947	14	11	9
Mar. 1, 1950, to Dec. 31, 1960	10	10	0
Total	28	22	36

Length of service is 29 years and 11 months, with 6 days being dropped.

160. Is there any limit to the length of service which may be credited?

No. All creditable civilian and military service may be counted.

161. How is an employee's "high-5" average salary figured?

The "high-5" average salary is the highest salary obtainable by averaging the rates of basic salary in effect during any 5 consecutive years of service, with each rate weighted by the time it was in effect. (See question 5 for definition of basic

salary.) Here is an example of an average salary computation which covers the 5-year period from January 1, 1956, to December 31, 1960:

Rate in effect from—	Time rate was in effect			Annual rate
	Yr.	Mo.	Dy.	
1/1/56 to 12/31/56 ...	1	0	0	× \$3,000 = \$3,000
1/1/57 to 6/30/58	1	6	0	× 3,500 = 5,250
7/1/58 to 9/30/58	0	3	0	× 4,000 = 1,000
10/1/58 to 12/31/60 ...	2	3	0	× 5,000 = 11,250
Total	5	0	0	5/\$20,500

"high-5" average salary = \$4,100

162. Must the 5 years over which the "high-5" average salary is figured consist of continuous service?

No. The 5 years need not be continuous but they must consist of *consecutive* periods of service. Thus 2 or more separate periods of employment which follow each other may be joined to make up the 5 consecutive years of service over which the "high-5" average salary is figured.

163. Must the "high-5" average salary be figured over 5 calendar years?

No. The 5-year period used need not start on a January 1. It may start and end on whichever dates will give the 5 years over which the highest average salary can be obtained. Because an employee's salary tends to increase the longer he works, the "high-5" average will usually be found during the last 5 years of service, but any other 5-year

period may be used if it will produce a higher average salary.

164. May a period of separation from service which totals 3 calendar days or less be included in the 5 years over which the "high-5" average salary is figured?

Yes. The salary rate to be used for such a period of separation is the one the employee was receiving on the day before the separation involved.

165. May military pay be used in figuring the "high-5" average salary?

No. However, if the military service was performed while on furlough from a civilian position, the furlough period may be counted as civilian service and the civilian salary rate may be used to figure the "high-5" average salary.

166. May a period of service for which the employee owes a deposit or a redeposit be used in figuring the "high-5" average salary?

Yes.

167. What is the general formula for obtaining the basic annuity?

- (a) Take: $1\frac{1}{2}$ percent of the "high-5" average salary and multiply the result by 5 years of service;
- (b) Add: $1\frac{3}{4}$ percent of the same "high-5" average salary multiplied by years of service between 5 and 10;
- (c) Add: 2 percent of the same "high-5" average salary multiplied by all service over 10 years.

The result is the basic annuity. Here is an example of how the formula would be applied to an employee with 30 years' service and a "high-5" average salary of \$6,000:

Take: $1\frac{1}{2}$ percent of \$6,000 (or \$90) \times 5 years	\$450
Add: $1\frac{3}{4}$ percent of \$6,000 (or \$105) \times 5 years	525
Add: 2 percent of \$6,000 (or \$120) \times 20 years	2,400
Basic annuity (per year)	\$3,375

Instead of taking the $1\frac{1}{2}$ percent, $1\frac{3}{4}$ percent, and 2 percent of the "high-5" average salary used in the general formula, there may be substituted 1 percent of the "high-5" average salary plus \$25 for any or all of these percentages. This substitution is made whenever it will result in a larger annuity. For example, the substitution is made in the first part of the formula in a case where an employee (with 20 years of service) had a "high-5" average salary of \$4,000:

1 percent of \$4,000 + \$25 (or \$65) \times 5 years	\$325
$1\frac{3}{4}$ percent of \$4,000 (or \$70) \times 5 years	350
2 percent of \$4,000 (or \$80) \times 10 years	800

Basic annuity (per year)..... \$1,475

168. Is there a rule for deciding when to substitute 1 percent of the "high-5" average salary plus \$25 for the percentages in the general formula?

Yes. If the "high-5" average salary is \$2,500 or less, substitute the 1 percent plus \$25 for all parts of the general formula. If the "high-5" average salary is between \$2,500 and \$3,333, substitute the 1 percent plus \$25 for the $1\frac{1}{2}$ percent and $1\frac{3}{4}$ percent in the first and second parts of the general formula. If the "high-5" average salary is between \$3,334 and \$4,999, substitute the 1 percent plus \$25 for the $1\frac{1}{2}$ percent in the first part of the general formula. If the "high-5" average salary is \$5,000 or over, no substitution is necessary.

169. Is the general formula for computing the basic annuity used in all kinds of retirement?

It is used in computing the basic annuities in age, optional, 25-year discontinued-service, 20-year discontinued-service and deferred retirements. It is used in disability retirements only if it produces a greater basic annuity than the guaranteed minimum. (See question 171.) It is not used in certain cases of law-enforcement employees. (See question 173.)

170. What is meant by the guaranteed minimum disability annuity?

The law guarantees a minimum annuity to employees who retire on account of disability. If the employee's "earned" annuity—that is, the basic annuity as computed under the general formula—is less than the guaranteed minimum, the guaranteed minimum becomes the basic annuity for all purposes except determining the amount of survivor benefit. Only the retiring employee's "earned" annuity may be used as a base for the survivor benefit. (See questions 146 and 167.)

171. How much is the guaranteed minimum disability annuity?

The guaranteed minimum is not a fixed amount but may vary from one employee to another depending on age and "high-5" average salary. The guaranteed minimum in a particular case would be the lesser of the two following amounts:

- (a) 40 percent of the employee's "high-5" average salary, or
- (b) The amount obtained under the general formula after increasing the employee's actual service by the time remaining between the date of his separation and the date he attains age 60.

172. Do all employees who retire for disability get the guaranteed minimum annuity?

No. If the general formula will produce a larger basic annuity than the guaranteed minimum, the employee will get the larger amount. Because of the percentage and age limitations on the guaranteed minimum annuity (i.e., 40 percent of "high-5" average salary and "service to age 60"), this guaranteed minimum offers no advantage to an employee if when he retires he (a) has to his credit at least 21 years and 11 months of service, or (b) is age 60 or over.

173. Is there a special formula used for law-enforcement employees who retire voluntarily at age 50 or over with at least 20 years of law-enforcement service?

Yes. The basic annuity in such cases is figured by taking 2 percent of the "high-5" average salary and multiplying the result by the years of service.

174. Is there a limitation on the amount of the basic annuity?

Yes. The maximum basic annuity under any formula mentioned cannot be more than 80 percent of the "high-5" average salary. Where it is more than this 80 percent figure, the basic annuity must be reduced to 80 percent of the "high-5" average salary.

175. What happens to the retirement deductions taken during service in excess of that necessary to produce the maximum basic annuity?

If an employee has service (excluding any he has elected to eliminate for annuity computation purposes) in excess of the years and months required to produce the 80-percent maximum, the retirement deductions withheld after the month in which he reaches this limitation are set aside as a special credit when he is separated. This amount, together with 3 percent interest compounded to the date of death or retirement (whichever is earlier), is applied as follows:

- (a) To pay any deposit or redeposit which, if unpaid, would reduce the basic annuity below the 80-percent maximum.
- (b) Any balance of the special credit, or the entire amount if no deposit or redeposit is due, is deemed to be a voluntary contribution. Any amount applied as voluntary contributions is refundable upon separation or may be used to purchase additional annuity at the rates specified in questions 82 and 83. In the event of death in service, this amount is

refundable as a lump-sum death benefit.

176. When is the basic annuity reduced?

The basic annuity is reduced when—

1. It is more than 80 percent of the "high-5" average salary. (See question 175 for special credit given for retirement deductions taken during service in excess of those necessary to produce the 80-percent maximum basic annuity.)
2. The retiring employee is under age 60, except when he retires for disability or when he retires under the special provisions for law-enforcement employees. (See questions 101, 130, and 132 for amount of reduction.)
3. The retiring employee has failed to make a deposit. (See question 25 for amount of reduction.)
4. The retiring employee elects a "reduced annuity with benefit to widow or widower" or a "reduced annuity with benefit to person having an insurable interest." (See questions 147 and 154 for amount of reduction.)

177. Can a retiring employee have more than one reduction in his basic annuity?

Yes. It is possible for a retiring employee to have his basic annuity reduced for any or all of the reasons mentioned in question 176.

178. If the basic annuity must be reduced more than once, in what order should the reductions be made?

The reductions should be made in the order in which they are shown in question 176. The basic annuity is reduced by the first applicable reduction, then the amount of the second applicable reduction is subtracted from the balance, etc. After all required reductions have been made, the amount remaining is the yearly annuity.

179. When is a retiring employee's basic annuity increased?

The annuity is increased if the retiring employee has made voluntary contributions to purchase additional annuity or has service beyond that required to produce the maximum basic annuity. (See questions 82 and 175 for the amount of increase.) It may also be increased if the retiring employee had served in the construction of the Panama Canal or Alaska Railroad. (See question 180.)

180. What is the increase for service in the construction of the Panama Canal or Alaska Railroad?

A citizen employee who worked on the construction of the Panama Canal or Alaska Railroad will be paid an additional annuity of \$36 for each year of his construction service if he is not already receiving a benefit based on this service.

181. Is the additional annuity added to the basic annuity?

Yes, if there are no reductions to be made in the basic annuity. If there are reductions, they must be made first and then the additional annuity is added to the amount remaining. The total is the yearly annuity.

182. What figure is used as the yearly annuity if the basic annuity does not have to be reduced or increased for any reason?

The basic annuity becomes the yearly annuity.

183. Must the yearly annuity be adjusted?

Yes. All annuities (including survivor annuities) are payable in monthly installments rounded to the nearest dollar. To obtain the monthly rate, the yearly annuity must be divided by 12. This gives the monthly rate which is adjusted to the nearest dollar by raising 50 cents or more to the next higher dollar or dropping 49 cents or less. For example, a monthly rate of \$125.50 would be

raised to \$126; a monthly rate of \$125.49 would become \$125.

184. Are annuities payable for a part of a month?

Yes. For example, a retired employee's annuity begins on the day after he qualifies for retirement and ends with death or the day that annuity stops due to any other terminating event. Annuities payable for part of a month are computed on the basis of a 30-day month. No an-

nuity is payable for the 31st day of a month.

185. How are annuities computed for fractional parts of a month?

The amount of annuity for a fractional part of a month is obtained by first dividing the monthly annuity rate by 30 days, to give a daily rate. The daily rate is then multiplied by the number of days in an annuity status to obtain the amount payable for part of a month.

IX. REEMPLOYMENT OF ANNUITANTS

186. May an annuitant be employed outside the Federal Government?

Yes.

187. Would employment outside the Federal Government have any effect on annuity payments?

As a general rule, outside employment will have no effect on the annuity payments or the annuitant's right to receive them. However, it may affect the rights of certain disability annuitants.

188. How could outside employment affect a disability annuitant?

For a disability annuitant who is under age 60, work in an outside position may indicate recovery from his disability or, if his income from wages or self-employment is sufficient, restoration of earning capacity. Either of these would affect his right to annuity as explained in questions 119 to 126.

189. May an annuitant be reemployed in the Federal Government?

Yes. He may be reemployed in any position for which he is qualified.

190. Should an annuitant notify the Civil Service Commission if he is reemployed in the Federal Government?

He should tell the agency in which he is reemployed that he is an annuitant. The agency must, in appropriate cases, notify

the Commission when the annuitant is reemployed and when he is separated.

191. What effect will reemployment in the Federal Government have on annuity payments?

That depends on several things:

- (a) If the annuitant's retirement was based on an involuntary separation (except for age retirement) which was not due to any fault of his own, his annuity will be either discontinued or withheld from his salary—
 - (1) If the reemployment is subject to the Retirement Act, his annuity will be discontinued from the date he is reemployed and his future retirement rights will depend on the law in effect at the time he is separated from the reemployment.
 - (2) If his reemployment is not subject to the Retirement Act, his annuity payments will continue without interruption but his salary during reemployment will be reduced by the amount of annuity he receives.
- (b) If the annuitant was retired for disability and is found before reaching age 60 to be recovered or restored to earning capacity, his annuity will be discontinued from the date he is reemployed—
 - (1) If his reemployment is subject to the Retirement Act, his future retirement rights will depend on

the law in effect at the time he is separated from the reemployment.

- (2) If his reemployment is not subject to the Retirement Act and the reemployment ceases within the 1-year termination period applicable upon recovery or restoration (see questions 119 and 120), annuity will be resumed the day after reemployment ceases but only for the balance of the 1-year period.
- (c) If (1) the annuitant's retirement was based on a voluntary separation or on an involuntary separation for cause, (2) the annuitant was retired for age, (3) he was a disability annuitant reemployed after reaching age 60, or (4) he was a disability annuitant not found recovered or restored to earning capacity and temporarily reemployed before reaching age 60, his annuity will continue without interruption but his salary during reemployment will be reduced by the amount of annuity he receives.

- 192. If an annuitant continues to receive monthly annuity payments during reemployment, are these payments charged against the deductions and interest to his credit in the retirement fund?**

Yes, with one exception; if he completes at least the 1 year of continuous full-time employment necessary to qualify for supplemental annuity, the amount to his credit in the fund is not reduced by total annuity paid during reemployment.

- 193. Under what conditions would a reemployed annuitant be eligible for a supplemental annuity?**

When an annuitant as described in question 191(c) is separated from reemployment, he would be eligible for a supplemental annuity if his final period of reemployment consisted of at least 1 year of continuous full-time service. (Reem-

ployment service under another retirement system for Federal or District of Columbia Government employees and service in a few particular positions—the President and certain U.S. judges—is not qualifying for this purpose.)

- 194. How is the supplemental annuity computed?**

By applying part (b) or part (c), or both, of the general formula, depending on the annuitant's *total* length of service, to the period of his full-time reemployment. (See question 167.) The following example illustrates which parts of the general formula are to be used. The example assumes that 3 years was the period of full-time reemployment.

If the annuitant's original retirement was based on 6 years of service, only part (b) of the formula would be used because his total service was less than 10 years. If his original retirement was based on 10 or more years of service, only part (c) of the formula would be used because this part applies to all service over 10 years. If his original retirement was based on 8 years of service both parts (b) and (c) would be used; part (b) would be applied to 2 years of the reemployment period because it was between 5 and 10 years of total service, and part (c) would be applied to the remaining year of reemployment service because, when considered as a part of his total service, it was over 10 years.

- 195. What average salary is used in computing the supplemental annuity under the general formula?**

The full rates of basic salary in effect during all periods of full-time reemployment, with each rate weighted by the time it was in effect, are used to figure the average salary. The "high-5" average salary is not used.

- 196. Are the full rates of basic salary in effect during the reemployment used to figure the average salary?**

Yes, even though the reemployed annuitant was not paid at the full rates because his basic salary during the reemployment was reduced by the amount of his annuity.

197. Is all service during the reemployment used in computing the supplemental annuity?

If the annuitant completes the required 1 year of continuous full-time service, all prior periods of full-time reemployment, including periods shorter than 1 year, are added together and the total years and months are used in computing the supplemental annuity.

198. Must the supplemental annuity as computed under the general formula be reduced for any reason?

It must be reduced by 10 percent of the amount due as deposit to cover the reemployment service, during which no retirement deductions are made from salary, unless the annuitant deposits these deductions, with interest. This deposit may be made only after the annuitant has been separated from the reemployment.

Also, if the annuitant is under age 60 the supplemental annuity must be reduced as explained in questions 101, 130, and 132.

199. May a survivor-type annuity be elected with respect to the supplemental annuity?

No. The supplemental annuity is always a "life-annuity" (see question 142). It cannot be used to provide or increase survivor annuity benefits.

200. Can an annuitant have his annuity rights completely redetermined upon separation from reemployment?

If an annuitant as described in question 191(c) completes at least 5 years of continuous full-time service and qualifies for supplemental annuity, he may elect, instead, to have his annuity rights redetermined under the law in effect at the time he is separated from reemployment. Unlike supplemental annuity, deposit to cover the reemployment service is mandatory for annuity redetermination. (Note that annuitants described in question 191 (a)(1) and (b)(1) cease being annuitants upon reemployment. The regular 6½-percent retirement deductions are taken from their salaries and their future retirement rights depend entirely on the law in effect at the time of future separation.)

X. DEATH BENEFITS**201. What kind of death benefits are there?**

There are two kinds:

- (a) A survivor annuity benefit which is payable in monthly installments.
- (b) A lump-sum benefit which is paid only once.

202. To whom is a survivor annuity payable?

Under certain conditions, a survivor annuity may be payable to the widow (or widower) and dependent children of a deceased employee or deceased annuitant. It may also be payable to a person having an insurable interest and who was named by an annuitant upon retirement.

203. What conditions must the deceased employee have met to permit payment of a survivor annuity?

He (or she) must have completed at least 5 years of civilian service and at time of death must have held a position in which he was subject to the Retirement Act.

204. What conditions must the widow of a deceased employee meet to be eligible for a survivor annuity?

She must have been married to the employee for at least 2 years immediately before his death or, if married less than 2 years, be the mother of his child born of the marriage.

205. What conditions must the widower of a deceased employee meet to be eligible for a survivor annuity?

He must have been married to the employee for at least 2 years immediately before her death or, if married less than 2 years, be the father of her child born of the marriage. In addition, he must be incapable of self-support by reason of mental or physical disability and must have received more than one-half his support from the deceased employee.

206. What conditions must a child of a deceased employee meet to be eligible for a survivor annuity?

The child must be unmarried and under age 18. (An unmarried child who is over 18 may be eligible if he or she is incapable of self-support because of a physical or mental disability which began before age 18.) In addition, if the deceased employee is survived by a wife or husband, the child must have received more than one-half support from the deceased parent. If the deceased employee is not survived by a wife or husband, the one-half support requirement does not apply.

207. Is an adopted child eligible for a survivor annuity?

A legally adopted child is eligible if he meets the conditions stated in question 206.

208. May a stepchild be eligible for a survivor annuity?

Yes. A stepchild must meet the conditions stated in question 206. In every case, however, the child must have received more than one-half support from the deceased employee and, in addition, lived with the employee in a regular parent-child relationship.

209. May an illegitimate child be eligible for a survivor annuity?

Yes. He would be eligible under the same conditions as a stepchild. (See question 208.)

210. Are the survivors of an employee disqualified from receiving an annuity if the employee was himself barred by the general requirement mentioned in question 92 (commission of a certain offense)?

Yes.

211. How much survivor annuity will the widow or widower of an employee receive?

She or he will receive one-half of the yearly annuity which the deceased employee had earned at the time of death. This earned annuity of the deceased employee is computed in the same manner as if he had retired but without reduction for being under age 60 and without any increase for voluntary contributions.

212. How much survivor annuity will each child receive?

Among other things, that depends on whether the deceased employee is survived by a wife or husband. If a wife or husband survives, *each* eligible child will receive whichever of these 3 yearly amounts is the *least*:

- (1) 40 percent of the employee's "high-5" average salary divided by the number of eligible children.
- (2) \$600.
- (3) \$1,800 divided by the number of eligible children.

If a wife or husband does not survive the deceased employee, *each* eligible child will receive whichever of these 3 yearly amounts is the *least*:

- (1) 50 percent of the employee's "high-5" average salary divided by the number of eligible children.
- (2) \$720.
- (3) \$2,160 divided by the number of eligible children.

213. Must the yearly amount of survivor annuity be adjusted?

Yes. Survivor annuities are paid in monthly installments which are adjusted to the nearest dollar. (See question 183.)

214. Is a child's survivor annuity payable in addition to the widow's (or widower's) annuity?

Yes. For example, if a deceased employee is survived by a widow and 3 children, all of whom are eligible to receive survivor annuities, this benefit would be paid for all 4 survivors.

215. If a widow (or widower) dies, will the children's annuity be increased?

Yes. If the children are still drawing annuity, their payments will be increased as though the employee had not been survived by a wife (or husband).

216. If the annuity to one child stops for any reason will the annuity to any remaining children be increased?

When the annuity to any one child stops, the other children's annuities are recomputed as though the one child had never been eligible. In some cases this will increase the annuities to the other eligible children.

217. When a child's annuity stops, is the widow's (or widower's) annuity affected?

No.

218. When does the survivor annuity to a widow (or widower) of an employee begin?

On the day after the employee dies.

219. How long will the widow (or widower) continue to receive the survivor annuity?

Until the end of the month before the one in which the widow or widower remarries or dies. In the case of a widower, his annuity could stop at the end of the month before the one in which he becomes capable of self-support.

220. When does the survivor annuity to a child begin?

On the day after the employee dies.

221. How long will each child continue to receive the survivor annuity?

Until the end of the month before the one in which the child marries, dies, or reaches age 18, except that payments to a child who is incapable of self-support because of disability which began before age 18 stop at the end of the month before the one in which he marries, dies, or becomes capable of self-support.

222. Are survivor annuities paid directly to children?

No. A child's annuity is paid to his legal guardian if one has been appointed. If there is no legal guardian, payments will be made, in the discretion of the Civil Service Commission, to the widow (or widower) or other person who has the care of the child.

223. Under what conditions would a widow (or widower) of an annuitant be eligible for a survivor annuity?

Only if the annuitant had elected a "reduced annuity with benefit to widow or widower" when he retired. If this type of annuity was elected, the widow (or widower) named would be eligible for a survivor annuity. (See questions 143 to 148 for details about this benefit.)

224. Under what conditions would an annuitant's children be eligible for the survivor annuity?

Regardless of the type of annuity elected at the time of retirement, an annuitant's children would be eligible for a survivor annuity under the same conditions and in the same amounts as the children of a deceased employee. For details about this benefit see questions 206 to 209 and question 212.

225. Under what conditions would a survivor annuity be payable to a person having an insurable interest in the annuitant?

Only if the annuitant had elected a "reduced annuity with benefit to person having an insurable interest" when he re-

tired. If this type of annuity was elected, the person named would be eligible for a survivor annuity. (See questions 149 to 155 for details about this benefit.)

226. Under what conditions would a lump-sum benefit be payable immediately after the death of an employee?

A lump-sum benefit is payable immediately if the deceased employee had less than 5 years of civilian service, or if he had completed 5 years but leaves no widow (or widower) or children who are eligible for a survivor annuity.

227. Of what does the immediate lump-sum benefit consist?

The amount paid into the Civil Service retirement fund by the employee, plus any accrued interest.

228. May a lump-sum benefit be paid if the employee leaves a widow (or widower) or children who are eligible for a survivor annuity?

No lump-sum benefit may be paid while the widow (or widower) or children are eligible for a survivor annuity. If when all the survivors' annuities have ended they have received in annuities an amount which totals less than the employee paid into the Civil Service retirement fund, plus any accrued interest, the difference would be payable as a lump-sum benefit.

229. Under what conditions would a lump-sum benefit be payable after the death of a former employee?

If the former employee had not received a refund after his separation from Government service, the amount he had paid into the Civil Service retirement fund, plus any accrued interest, would be payable immediately after his death.

230. Is a lump-sum benefit payable immediately after the death of an annuitant?

Yes. Such a payment includes—

(a) any annuity accrued to the date of

his death and, if no one is entitled to survivor annuity,

(b) the difference, *if any*, between the annuitant's total contributions to the retirement fund, with interest, and the total amount of the annuity paid.

231. May a lump-sum benefit be paid if the annuitant leaves a survivor who is eligible for an annuity?

Yes, but only any accrued annuity due the deceased annuitant is payable. Payment of any unexpended contributions must be delayed until the annuity of the last survivor has terminated. If when all the survivors' annuities have ended, the total paid to the survivors and the annuitant himself is less than the amount he had paid into the Civil Service retirement fund, plus any accrued interest, the difference would be payable in a lump sum.

232. How is interest computed on lump-sum benefits?

In the same way as on refunds. (See questions 251 and 252.)

233. Who may receive the lump-sum payment?

The law gives each employee and annuitant the right to dispose of this money as he wishes. However, no action on his part is necessary if he is satisfied to have the lump sum paid to the first person or persons listed below who are alive on the date title to the payment arises:

1. To the widow or widower.
2. If neither of the above, to the child or children in equal shares, with the share of any deceased child distributed among the descendants of that child.
3. If none of the above, to the parents in equal shares or the entire amount to the surviving parent.
4. If none of the above, to the executor or administrator of the estate of the deceased.
5. If none of the above, to the next of kin under the laws of the State in which the deceased was domiciled.

234. What should an employee or annuitant do if the above order of payment will not carry out his wishes?

He should designate a beneficiary by completing Standard Form 2808 in duplicate and forwarding it to the Civil Service Commission, Washington 25, D.C.

235. May an employee or annuitant change or cancel his designation of beneficiary?

Yes. Change or cancellation may be made by executing a new Standard Form 2808.

236. Must the husband name his wife as beneficiary on Standard Form 2808 in order that she may be awarded an annuity upon his death?

No. The designation of beneficiary is for the lump-sum benefit only. It has

no effect on the widow's right to survivor annuity.

237. Is this also true with respect to a child entitled to annuity benefits?

Yes.

238. Is it necessary to apply for a survivor annuity or lump-sum benefit?

Yes. One member of the deceased employee's or annuitant's family should apply to the Civil Service Commission on Standard Form 2800. When the application is received, the Commission determines what benefits are payable, the amount of the benefits, and to whom they are payable, and informs the applicant.

239. Is it necessary to employ anyone to assist in settling a death claim?

No.

XI. REFUNDS

240. What is meant by a "refund"?

A refund is the return to an employee of money to his credit in the retirement fund.

241. Under what conditions is a refund payable?

It is payable when an employee is separated from Government service or is transferred to a position in which he is not under the Retirement Act, provided his separation or transfer occurs and the application for refund is filed with the Civil Service Commission at least 31 days before the beginning date of any annuity for which he may be eligible. (See question 175 for refund of deductions taken during service that exceeds that necessary to produce the maximum basic annuity.)

242. May an employee who is eligible to retire on an immediate annuity choose to receive a refund rather than an annuity?

No. He may not be paid a refund be-

cause his annuity is scheduled to begin less than 31 days after his separation or transfer.

243. May a former employee who is eligible for deferred retirement be paid a refund?

Yes, if he files his application with the Civil Service Commission at least 31 days before annuity payments are scheduled to begin. The beginning date of deferred retirement annuity is his 62d birthday.

244. If an employee who is eligible for deferred retirement is paid a refund, may he later redeposit the refund and receive the annuity at age 62?

No. Payment of the refund cancels his right to the deferred annuity. If he is later reemployed under the Retirement Act, he could acquire a new retirement right, and make a redeposit in order to receive credit for the service covered by the refund.

245. If an employee is separated before he is eligible for retirement, may he leave his money in the retirement fund?

Yes. He does not have to apply for a refund.

246. Is there any advantage to leaving the money in the retirement fund?

That depends on whether the employee has more or less than 5 years of service:

- (a) If he has less than 5 years, the only advantage to leaving the money in the retirement fund is that he would not have to make a redeposit to receive credit for the service if he returns to Federal employment.
- (b) If he has 5 or more years of civilian service he could receive a deferred annuity at age 62 by leaving the money in the retirement fund. In dollars received, the annuity in most cases is more valuable than the refund. Also, when the employee retires at age 62 he can elect a survivor type annuity and protect his widow (or widower).

247. If a refund is not paid at time of separation may it be paid later?

Yes. It may be paid at any time while the employee is separated, provided the application is received in the Civil Service Commission at least 31 days before the beginning date of any annuity for which he is eligible.

248. What happens to money left in the retirement fund if death occurs?

The money will be refunded as a lump-sum death benefit. (See question 233.)

249. Of what does a refund consist?

It consists of the deductions taken from the employee's salary, any deposits and redeposits paid by him, and interest if any is due. It may also include voluntary contributions. (See question 86.)

250. May the employing agency's retirement contributions be refunded?

No. The agency's contributions are to the retirement fund in general and are not credited to any individual employee.

251. When is interest payable?

If the refund covers service of 1 year or less, no interest is payable. If the refund covers service of more than 1 year but the employee has completed less than 5 years of civilian service, interest is payable to the date of separation. If he has completed 5 or more years of civilian service (the minimum required to qualify for retirement or survivor annuity), interest is payable to December 31, 1956; no interest is payable for any time after December 31, 1956.

252. At what rate is interest paid?

At 4 percent to December 31, 1947, and at 3 percent thereafter, compounded annually.

253. How is application for refund made?

Application must be filed on Standard Form 2802. If the employee has been separated for 30 days or less, the application should be filed through his last employing agency. If he has been separated for more than 30 days, it may be filed directly with the Civil Service Commission.

254. May an employee who, at his last separation, fails to meet the minimum service requirement mentioned in question 91 (1 out of the last 2 years under the Retirement Act), but who is eligible for retirement as a result of an earlier separation, be paid a refund of deductions made during his last period of service?

Yes. He may be paid a partial refund covering his service which does not meet

the "1 out of the last 2 years" minimum requirement. By applying for such a partial refund only, the employee preserves his eligibility for retirement based on the earlier separation.

255. May an employee who is prohibited from receiving an annuity as mentioned in question 92 (because he committed a certain offense) be paid a refund?

Yes.

XII. MISCELLANEOUS

256. How are benefits paid

The Civil Service Commission authorizes the payment of all benefits (annuity, refund, and lump-sum death settlement); the checks are issued by the Treasury Department. Annuity checks are dated the first business day of the month after the month or other period for which annuity has accrued. Every effort is made to have them delivered on that day.

257. May annuity checks be negotiated under power of attorney?

Yes, if the power of attorney is given to a reputable bank or trust company. Banks usually have the necessary forms and are familiar with the instructions which are issued by the Treasury Department about powers of attorney.

258. Can annuity, refund, or lump-sum death payments be attached in order to settle a judgment or other indebtedness?

Such payments are not subject to attachment, levy, garnishment, or other legal process.

259. Does this bar apply to an indebtedness due to the United States?

No. This is the one exception to the rule. Amounts payable to the employee in annuity or refund, or due as lump-sum death payment, may be used to settle a claim which the Government may have against the individual.

260. May an employee voluntarily assign his retirement deductions as security for a loan or other purpose?

No.

261. May an employee borrow from the retirement fund?

No.

262. Are Federal employees ever subject to social security?

With certain exceptions, employees who are not included within a Federal retirement system are covered by social security.

263. Are annuity payments subject to Federal income tax?

Yes, under rules prescribed by the Internal Revenue Service, Treasury Department. Information regarding the filing of the return and the computation of the tax may be secured from any office of a District Director of Internal Revenue.

264. May an annuitant engage in politics?

Yes. An annuitant is not an employee and therefore is not governed by the political-activity restriction applying to employees.

265. If an annuitant serves on a jury, will his annuity be affected?

No.

266. May a person decline to accept all, or a part of, his civil-service annuity?

Yes, if he has a personal reason for such action.

267. How is this done?

By signing a waiver and filing it with the Civil Service Commission. No special form is necessary. The annuitant merely states in writing how much of his annuity he waives.

268. May the waiver be revoked?

Yes. It may be revoked in writing at any time but only with respect to future payments.

269. What forms are used for filing applications under the Retirement Act?

Standard Form 2800—Death benefits.

Standard Form 2801—Retirement (age, optional, disability, discontinued service, or deferred).

Standard Forms 2801-A and 2801-B—Disability retirement (in addition to Standard Form 2801).

Standard Form 2802—Refund of retirement deductions.

Standard Form 2803—Deposit or redeposit to cover past service.

Standard Form 2804—Voluntary contributions.

Standard Form 2808—Designation of beneficiary.

270. Where may these forms be secured?

From the personnel office of the employing department or agency, or from the Civil Service Commission in Washington, D.C., or any of its regional offices.

271. What recourse has an applicant under the Retirement Act if his claim is denied?

The action by the Commission's Bureau of Retirement and Insurance is subject to review by the Board of Appeals and Review of the Commission. If his application is not approved, the applicant is fully informed of his right to appeal to the Board of Appeals and Review.

272. May an individual receive a Civil Service annuity and Social Security benefits at the same time?

Yes, if he has qualified for both benefits.

273. If an employee has a particular question that is not answered here, where should he go for information?

To the personnel office of his department or agency, or to the Civil Service Commission. Personnel offices are experienced in retirement matters and are responsible for counseling and assisting employees. They also have the employee's record and can, therefore, usually give specific rather than general answers to a question.

If it is necessary to write to the Civil Service Commission for the information, care should be taken to give complete identifying information such as name in full, date of birth, agencies in which employed, and dates of employment. Any other identifying information, such as a claim number which has been assigned by the Bureau of Retirement and Insurance of the Commission for a particular claim, should be given in order that prompt and complete reply may be made.

274. Is any other retirement publication available to employees?

Yes. A Certificate of Membership which explains the obligations, benefits, and privileges of membership in the retirement system has been issued. Every employee under the Act should have a copy of the certificate, and should preserve it as one of his valuable personal papers. The certificate is given to each employee by his employing agency.

275. Does the information in this pamphlet apply to all retirement benefits?

No. It applies, in general, to present employees and to employees whose separations occurred on or after October 1, 1956. The rights of persons separated before that date are usually determined by the laws which were in force at the time of separation. If such persons need information about their rights, they should make inquiry of the Civil Service Commission.

APPENDIX

EXCLUSIONS BY THE CIVIL SERVICE COMMISSION

The following employees in the executive branch of the Federal Government are excluded by the Civil Service Commission, unless covered by one of the exceptions listed:

- (1) Employees serving under appointments limited to 1 year or less.
- (2) Part-time, when-actually-employed, or intermittent employees having no regular tour of duty.
- (3) Employees whose salary, pay or compensation on an annual basis is \$12 a year or less.
- (4) Member or patient employees in Government hospitals or homes.
- (5) Employees paid on a contract or fee basis.
- (6) Employees paid on a piecework basis, except those whose work schedule provides for regular or full-time service.
- (7) Intermittent alien employees engaged on work outside the continental limits of the United States.
- (8) Employees serving under temporary appointments pending establishment of registers, or pending final determination of eligibility for permanent appointment.
- (9) Acting postmasters, clerks in fourth-class post offices, substitute rural carriers, and special-delivery messengers at second-, third-, and fourth-class post offices.
- (10) Consular agents appointed under authority of section 551 of the Foreign Service Act of 1946, approved August 13, 1946 (Public Law 724, 79th Cong.).
- (11) Employees serving under emergency-indefinite appointments not exceeding 5 years.
- (12) United States citizens given "overseas limited appointments."
- (13) Employees serving under nonpermanent appointments made pursuant to section 1 of Executive Order 10180 of November 13, 1950.
- (14) Employees serving under nonpermanent appointments, designated as indefinite, made after January 23, 1955, the effective date of the repeal of Executive Order 10180.

EXCEPTIONS TO EXCLUSIONS BY THE COMMISSION

The exclusions listed do not operate to deny retirement coverage in any case in which:

- (1) Employment in an excluded category follows employment subject to the Act without a break in service or after a separation from the service of 3 days or less,
- (2) The employee is granted competitive civil service status under legislation, Executive order, or the Civil Service Rules and Regulations, while he is serving in a position in the competitive service,
- (3) The employee previously had a competitive civil service status and such status is restored to him by action of reinstatement, or
- (4) The employee is granted merit status under Chapter II of Title 5, Code of Federal Regulations, "Employment and Compensation in the Canal Zone."

REDUCTION FOR SURVIVOR ANNUITY TO PERSON WITH INSURABLE INTEREST

An employee who names a person with an insurable interest as survivor annuitant will have his annuity reduced. The amount of the reduction depends upon the difference in ages of the employee and the person named, as shown in the following table:

Age of person named in relation to that of retiring employee	Reduction in annuity of retiring employee
Older, same age, or less than 5 years younger	Percent 10
5 but less than 10 years younger	15
10 but less than 15 years younger	20
15 but less than 20 years younger	25
20 but less than 25 years younger	30
25 but less than 30 years younger	35
30 or more years younger	40

If with respect to his voluntary contributions an employee elects a survivor annuity, the additional annuity purchased will be reduced as indicated in this table.

CIVIL SERVICE RETIREMENT SYSTEM MONTHLY ANNUITY RATES

(For employees separated on and after Oct. 1, 1956)

- A—Basic Life Annuity (No Provision for Surviving Spouse)
 B—Reduced Annuity With Maximum Benefit to Surviving Spouse
 C—Annuity to Surviving Spouse if "B" Elected, and to Widow or
 Dependent Widower on Death Before Retirement

NOTE: 1. Service for which retirement deductions were withheld and later refunded cannot be counted unless the refund is redeposited.

2. Rates shown are subject to reduction if—

- (a) retirement (except on account of total disability) is before age 60;
 (b) service includes any civilian time after Aug. 1, 1920, for which no retirement deductions were withheld or deposited.

3. If retirement is on account of total disability, the rates shown as payable to the retired employee (A and B) are subject to increase if he qualifies for the guaranteed minimum annuity.

Years of service	Average annual salary (5 highest consecutive years)													
	\$4,000	\$4,500	\$5,000	\$5,500	\$6,000	\$6,500	\$7,000	\$7,500	\$8,000	\$8,500	\$9,000	\$9,500	\$10,000	
5	A	27	29	31	34	38	41	44	47	50	53	56	59	63
	B	26	28	30	34	37	40	43	46	49	52	55	58	61
	C	14	15	16	17	19	20	22	23	25	27	28	30	31
6	A	33	36	39	42	46	50	54	58	62	66	69	73	77
	B	32	35	38	41	45	49	53	56	60	64	68	71	75
	C	16	18	19	21	23	25	27	29	31	33	35	37	39
7	A	39	42	46	50	55	60	64	69	73	78	83	87	92
	B	38	41	45	49	54	58	63	67	71	76	80	85	89
	C	19	21	23	25	28	30	32	34	37	39	41	44	46

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8	A	45	49	53	58	64	69	74	80	85	90	96	101	106
	B	43	48	52	57	62	67	73	78	83	88	93	98	104
	C	22	24	27	29	32	35	37	40	43	45	48	50	53
9	A	50	55	60	66	73	79	85	91	97	103	109	115	121
	B	49	54	59	65	71	77	82	88	94	100	106	112	118
	C	25	28	30	33	36	39	42	45	48	51	54	57	60
10	A	56	62	68	74	81	88	95	102	108	115	122	129	135
	B	55	60	66	73	79	86	92	99	106	112	119	125	132
	C	28	31	34	37	41	44	47	51	54	58	61	64	68
11	A	63	69	76	84	91	99	106	114	122	129	137	144	152
	B	61	68	74	82	89	96	104	111	119	126	133	141	148
	C	31	35	38	42	46	49	53	57	61	65	68	72	76
12	A	70	77	84	93	101	110	118	127	135	143	152	160	169
	B	68	75	82	91	99	107	115	123	132	140	148	156	165
	C	35	38	42	46	51	55	59	63	68	72	76	80	84
13	A	76	84	93	102	111	121	130	139	148	158	167	176	185
	B	74	82	90	99	108	118	127	136	145	154	163	172	181
	C	38	42	46	51	56	60	65	70	74	79	83	88	93
14	A	83	92	101	111	121	131	141	152	162	172	182	192	202
	B	81	90	98	108	118	128	138	148	158	167	177	187	197
	C	41	46	51	56	61	66	71	76	81	86	91	96	101
15	A	90	99	109	120	131	142	153	164	175	186	197	208	219
	B	87	97	107	117	128	139	149	160	171	181	192	202	212
	C	45	50	55	60	66	71	77	82	88	93	98	104	109

YOUR RETIREMENT SYSTEM

CIVIL SERVICE RETIREMENT SYSTEM MONTHLY ANNUITY RATES—Continued

Years of service	Average annual salary (5 highest consecutive years)												
	\$4,000	\$4,500	\$5,000	\$5,500	\$6,000	\$6,500	\$7,000	\$7,500	\$8,000	\$8,500	\$9,000	\$9,500	\$10,000
16	A 96	107	118	129	141	153	165	177	188	200	212	224	235
	B 94	104	115	126	138	149	161	172	184	195	206	216	227
	C 48	53	59	65	71	77	82	88	94	100	106	112	118
17	A 103	114	126	139	151	164	176	189	202	214	227	239	252
	B 100	112	123	135	147	160	172	184	196	208	219	230	242
	C 51	57	63	69	76	82	88	95	101	107	113	120	126
18	A 110	122	134	148	161	175	188	202	215	228	242	255	269
	B 107	119	131	144	157	170	183	196	209	221	233	245	257
	C 55	61	67	74	81	87	94	101	108	114	121	128	134
19	A 116	129	143	157	171	186	200	214	228	243	257	271	285
	B 113	126	139	153	167	181	195	208	221	233	246	259	272
	C 58	65	71	78	86	93	100	107	114	121	128	136	143
20	A 123	137	151	166	181	196	211	227	242	257	272	287	302
	B 120	134	147	162	177	191	205	219	232	246	260	273	287
	C 61	68	76	83	91	98	106	113	121	128	136	143	151
21	A 130	144	159	175	191	207	223	239	255	271	287	303	319
	B 126	141	155	171	186	201	216	230	245	259	273	288	302
	C 65	72	80	88	96	104	112	120	128	135	143	151	159

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22	A	136	152	168	184	201	218	235	252	268	285	302	319	335
	B	133	148	164	180	196	211	226	241	257	272	287	302	317
	C	68	76	84	92	101	109	117	126	134	143	151	159	168
23	A	143	159	176	194	211	229	246	264	282	299	317	334	352
	B	139	155	172	189	205	221	237	253	268	284	300	316	332
	C	71	80	88	97	106	114	123	132	141	150	158	167	176
24	A	150	167	184	203	221	240	258	277	295	313	332	350	369
	B	146	163	180	198	214	231	247	264	281	297	314	330	347
	C	75	83	92	101	111	120	129	138	148	157	166	175	184
25	A	156	174	193	212	231	251	270	289	308	328	347	366	385
	B	152	170	188	206	223	241	258	275	293	310	327	345	362
	C	78	87	96	106	116	125	135	145	154	164	173	183	193
26	A	163	182	201	221	241	261	281	302	322	342	362	382	402
	B	159	177	196	214	232	250	268	286	304	323	341	359	377
	C	81	91	101	111	121	131	141	151	161	171	181	191	201
27	A	170	189	209	230	251	272	293	314	335	356	377	398	419
	B	165	185	203	222	241	260	279	298	317	335	354	373	392
	C	85	95	105	115	126	136	147	157	168	178	188	199	209
28	A	176	197	218	239	261	283	305	327	348	370	392	414	435
	B	172	192	211	230	250	270	289	309	329	348	368	387	407
	C	88	98	109	120	131	142	152	163	174	185	196	207	218
29	A	183	204	226	249	271	294	316	339	362	384	407	429	452
	B	178	199	218	239	259	279	300	320	340	361	381	401	422
	C	91	102	113	124	136	147	158	170	181	192	203	215	226

YOUR RETIREMENT SYSTEM

CIVIL SERVICE RETIREMENT SYSTEM MONTHLY ANNUITY RATES—Continued

Years of service	Average annual salary (5 highest consecutive years)													
	\$4,000	\$4,500	\$5,000	\$5,500	\$6,000	\$6,500	\$7,000	\$7,500	\$8,000	\$8,500	\$9,000	\$9,500	\$10,000	
30	A	190	212	234	258	281	305	328	352	375	398	422	445	469
	B	185	206	226	247	268	289	310	331	353	374	395	416	437
	C	95	106	117	129	141	152	164	176	188	199	211	223	234
31	A	196	219	243	267	291	316	340	364	388	413	437	461	485
	B	191	212	234	255	277	299	321	343	365	386	408	430	452
	C	98	110	121	133	146	158	170	182	194	206	218	231	243
32	A	203	227	251	276	301	326	351	377	402	427	452	477	502
	B	198	219	241	264	286	309	331	354	376	399	422	444	467
	C	101	113	126	138	151	163	176	188	201	213	226	238	251
33	A	210	234	259	285	311	337	363	389	415	441	467	493	519
	B	204	226	248	272	295	318	342	365	389	412	435	459	482
	C	105	117	130	143	156	169	182	195	208	220	233	246	259
34	A	216	242	268	294	321	348	375	402	428	455	482	509	535
	B	210	233	256	280	304	328	352	376	401	425	449	473	497
	C	108	121	134	147	161	174	187	201	214	228	241	254	268
35	A	223	249	276	304	331	359	386	414	442	469	497	524	552
	B	216	239	263	288	313	338	363	388	412	437	462	487	512
	C	111	125	138	152	166	179	193	207	221	235	248	262	276

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36	A	230	257	284	313	341	370	398	427	455	483	512	540	569
	B	222	246	271	297	322	348	373	399	425	450	476	501	527
	C	115	128	142	156	171	185	199	213	228	242	256	270	284
37	A	236	264	293	322	351	381	410	439	468	498	527	556	585
	B	228	253	279	305	331	358	384	410	437	463	489	516	542
	C	118	132	146	161	176	190	205	220	234	249	263	278	293
38	A	243	272	301	331	361	391	421	452	482	512	542	572	602
	B	234	260	286	313	340	367	394	421	448	476	503	530	557
	C	121	136	151	166	181	196	211	226	241	256	271	286	301
39	A	250	279	309	340	371	402	433	464	495	526	557	588	619
	B	240	266	293	321	349	377	405	433	461	488	516	544	572
	C	125	140	155	170	186	201	217	232	248	263	278	294	309
40	A	256	287	318	349	381	413	445	477	508	540	572	604	635
	B	246	273	301	329	358	387	415	444	473	501	530	558	587
	C	128	143	159	175	191	207	222	238	254	270	286	302	318
41	A	263	294	326	359	391	424	456	489	522	554	587	619	652
	B	252	280	308	338	367	396	426	455	484	514	543	572	602
	C	131	147	163	179	196	212	228	245	261	277	293	310	326
41-11 and over *	A	267	300	333	367	400	433	467	500	533	567	600	633	667
	B	255	285	315	345	375	405	435	465	495	525	555	585	615
	C	133	150	167	183	200	217	233	250	267	283	300	317	333

*See Questions 174 and 175 for limitation on maximum basic annuity.

YOUR RETIREMENT SYSTEM

FACTORS FOR DETERMINING REDUCTION IN BASIC ANNUITY

(25-year discontinued-service retirement)
(20-year discontinued-service at age 50)
(Optional retirement between ages 55-60)

Age at separation and at least 1 day over—	0 month	1 month	2 months	3 months	4 months	5 months	6 months	7 months	8 months	9 months	10 months	11 months
40.....	0.651667	0.653333	0.655000	0.656667	0.658333	0.660000	0.661667	0.663333	0.665000	0.666667	0.668333	0.670000
41.....	.671667	.673333	.675000	.676667	.678333	.680000	.681667	.683333	.685000	.686667	.688333	.690000
42.....	.691667	.693333	.695000	.696667	.698333	.700000	.701667	.703333	.705000	.706667	.708333	.710000
43.....	.711667	.713333	.715000	.716667	.718333	.720000	.721667	.723333	.725000	.726667	.728333	.730000
44.....	.731667	.733333	.735000	.736667	.738333	.740000	.741667	.743333	.745000	.746667	.748333	.750000
45.....	.751667	.753333	.755000	.756667	.758333	.760000	.761667	.763333	.765000	.766667	.768333	.770000
46.....	.771667	.773333	.775000	.776667	.778333	.780000	.781667	.783333	.785000	.786667	.788333	.790000
47.....	.791667	.793333	.795000	.796667	.798333	.800000	.801667	.803333	.805000	.806667	.808333	.810000
48.....	.811667	.813333	.815000	.816667	.818333	.820000	.821667	.823333	.825000	.826667	.828333	.830000
49.....	.831667	.833333	.835000	.836667	.838333	.840000	.841667	.843333	.845000	.846667	.848333	.850000
50.....	.851667	.853333	.855000	.856667	.858333	.860000	.861667	.863333	.865000	.866667	.868333	.870000
51.....	.871667	.873333	.875000	.876667	.878333	.880000	.881667	.883333	.885000	.886667	.888333	.890000
52.....	.891667	.893333	.895000	.896667	.898333	.900000	.901667	.903333	.905000	.906667	.908333	.910000
53.....	.911667	.913333	.915000	.916667	.918333	.920000	.921667	.923333	.925000	.926667	.928333	.930000
54.....	.931667	.933333	.935000	.936667	.938333	.940000	.941667	.943333	.945000	.946667	.948333	.950000
55.....	.950833	.951667	.952500	.953333	.954167	.955000	.955833	.956667	.957500	.958333	.959167	.960000
56.....	.960833	.961667	.962500	.963333	.964167	.965000	.965833	.966667	.967500	.968333	.969167	.970000
57.....	.970833	.971667	.972500	.973333	.974167	.975000	.975833	.976667	.977500	.978333	.979167	.980000
58.....	.980833	.981667	.982500	.983333	.984167	.985000	.985833	.986667	.987500	.988333	.989167	.990000
59.....	.990833	.991667	.992500	.993333	.994167	.995000	.995833	.996667	.997500	.998333	.999167	1.000000

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